

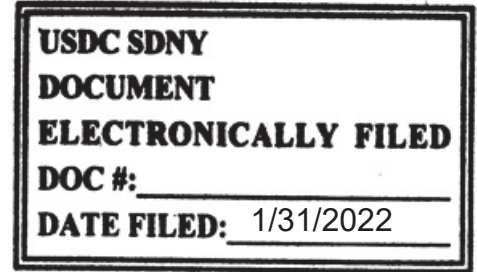
ANTHONY V. GENTILE, ESQ.

6648 Ridge Boulevard
Brooklyn, New York 11220
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January 29, 2022

Via ECF

Hon. Robert W. Lehrburger
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: Forte v. Trustees of Columbia University
1:18-cv-08923-LAK-RWL
Letter motion requesting adjournment of settlement conference

Hon. Magistrate Lehrburger:

We represent Plaintiff in the above-referenced matter (an employment age discrimination case) and, for the reasons stated below, we are very respectfully writing to this Honorable Court to request an adjournment of the settlement conference presently scheduled for Monday, January 31, 2022 at 2:30 p.m. (*see* Dkt. No. 117, dated 01/22/22), said adjournment requested to be either *sine die*, or to any other day this coming week after Tuesday. The reason for the adjournment request is as follows.

Earlier yesterday, your undersigned made one last attempt to resolve the “supplemental wages” dispute which is holding up the settlement. Defense counsel responded favorably with a counter-proposal that was partially acceptable to Plaintiff. However, defense counsel also injected a new element into the mix, which element was soundly rejected by Plaintiff.

We are now waiting to see if Columbia will perhaps waive this new element. If so, the settlement can conclude thereby obviating the need for Monday’s conference. If not, the parties can perhaps continue to negotiate the matter regarding this new element, which circumstance would also obviate the need for Monday’s conference. The aforesaid discussions played out over the course of the day, and late into the day, and we will likely not have an answer from Columbia until Monday.

Thus, your undersigned thought it best to advise the Court as soon as possible of this development in the event the Court wants to schedule something else in place of the aforesaid conference. Columbia objects to the adjournment on the grounds that the settlement discussions have been ongoing for some length of time, and Columbia believes that by Monday morning the parties will know whether this matter is resolved or whether the scheduled conference will, in

fact, be needed. It goes without saying that the parties will, of course, jointly keep the Court apprised of the settlement status whether or not the Court orders same.

Wherefore, for all the foregoing reasons, and over Columbia's objections, Plaintiff respectfully requests an Order:

(i) granting an adjournment of the conference scheduled for Monday, January 31, 2022 at 2:30 p.m., said adjournment requested to be either *sine die*, or to any other day this coming week after Tuesday; and,

(ii) granting such other and further relief as is just, proper and/or equitable under the circumstances.

Sincerely and respectfully submitted,

/s/ Anthony V. Gentile

Anthony V. Gentile
(Of Counsel)
Bailey Law, P.C.
Attorneys for Plaintiff

cc: To all ECF registrants on the docket for this case.

Denied. If the parties reach agreement before the conference, they shall promptly notify the Court.

SO ORDERED:

1/31/2022



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE